

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed February 20, 2003. In order to advance prosecution of this case, Applicants amend Claims 1, 46, and 88. Applicants cancel Claims 26-44 and 71-87 without prejudice or disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

Section 102 Rejections

The Examiner rejects Claims 1-15, 19, 20, 24, 25, 46, 48-61, 65, 66, 69, 70, and 88-90 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,301,359 issued to Van den Heuvel et al. ("Van den Heuvel"). Applicant respectfully traverses these rejections. Claim 1 recites "selectively determining an availability of the wireless service at the geographic region based on the request." Claim 42 recites "the instructions operable upon processing to ... selectively determine an availability of the wireless service at the geographic region based on the request." Claim 88 recites "the instructions ... further operable to display a response to the request comprising available wireless services and terms for the available wireless services, wherein the available wireless services are determined based on the service criteria." Van den Heuvel does not describe, expressly or inherently, the recited limitations of Claims 1, 42, and 88. The Examiner notes that the menu message 501 of Van den Heuvel includes "information regarding available communications services" (Van den Heuvel, col. 3, ll. 56-57). But the information in menu message 501 is nowhere shown to be selectively determined based on a request or service criteria; it is instead described as being broadcast "from time to time" (Van den Heuvel, col. 3, l. 55). Applicants, therefore,

respectfully submit that Claims 1, 46, and 88 are patentable over the cited reference, and for at least these reasons, respectfully request reconsideration and allowance of Claims 1, 46, 88, and their dependent claims.

Section 103 Rejections

The Examiner rejects Claims 16, 17, and 63 under 35 U.S.C. § 103(a) as being unpatentable over *Van den Heuvel* in view of U.S. Patent No. 6,064,972 issued to Jankowitz et al. ("Jankowitz"). These claims all depend, directly or indirectly, from claims that are allowable for at least the reasons stated above. Applicants, therefore, respectfully request reconsideration and allowance of these claims.

The Examiner rejects Claims 18, 21, 47, 64, 67, and 91 under 35 U.S.C. § 103(a) as being unpatentable over *Van Den Heuvel* and *Jankowitz* in view of U.S. Patent No. 5,961,569 issued to Craport et al. ("Craport"). These claims all depend, directly or indirectly, from claims that are allowable for at least the reasons stated above. Applicants, therefore, respectfully request reconsideration and allowance of these claims.

The Examiner rejects Claims 22, 23, 68, and 92 under 35 U.S.C. § 103(a) as being unpatentable over *Van den Heuvel* in view of U.S. Patent No. 6,424,646 issued to Gerszberg et al. ("Gerszberg"). These claims all depend, directly or indirectly, from claims that are allowable for at least the reasons stated above. Applicants, therefore, respectfully request reconsideration and allowance of these claims.

Conclusions

Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims. If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

No fees are believed to be due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.
Attorneys for Applicants

Barton E. Showalter
Reg. No. 38,302

2001 Ross Avenue, Suite 600
Dallas, Texas 75201-2980
(214) 953-6509

Date: May 20, 2003

CORRESPONDENCE ADDRESS:
Customer Number or Bar Code Label:

